IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT APPEAL NO : 1148 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 05/07/2004 in WP NO : 11215 OF 2004 on the file of the High Court.)

Between:

The Municipal Corporation of Kurnool, rep. by its Commissioner, Kurnool.

..... APPELLANT

AND

1 A. Padma Reddy, Major, C/o 8/386, Court Road, Anantapur.
2 Presiding Officer, Hon'ble Industrial Tribunal -cum- Labour Court, Anantapur.

.....RESPONDES

Counsel for the Appellant: MR.S.A.CHARI

Counsel for the Respondent No.: GP FOR LABOUR

The Court made the following:

ORDER: (PER JC,J)

This Writ Appeal is preferred by the Writ Petitioner in W.P. No. 11215 OF 2004 aggrieved by an order of dismissal of W.P.M.P. No. 14252 of 2004 on 05.07.2004.

2. The respondents herein raised an Industrial Dispute in I.D. No. 77 of 2003 on the file of Industrial Tribunal-cum-Labour Court, Ananthapur, the further details of the Industrial Dispute are not necessary for the present purpose. The petitioner raised a preliminary objection about the maintainability of the Industrial Dispute. By an order dated 04.05.2004, the Industrial Tribunal rejected the objections raised by the appellants herein. Aggrieved by the said rejection the appellants herein filed the above mentioned Writ Petition and sought stay of the further proceedings in the above mentioned Industrial Dispute.

3. A learned Judge of this Court admitted the Writ Petition, but however, declined to stay further proceedings in the Industrial Dispute and hence, the present Writ Appeal.

4. Writ Appeal was admitted on 30th July, 2004 and interim order was passed and hence, the present petition i.e. W.A.M.P. No. 2087 of 2004 to vacate the interim order.

5. Heard both learned counsel and we are of the opinion that the Writ Appeal itself can be disposed of without going in to the details of the case directing the Registry to list the Writ Petition itself for final hearing before the appropriate Court in the third week of September, 2004. We also direct that the Industrial Tribunal-cum-Labour Court, Ananthapur would proceed with the enquiry in to the above mentioned

Industrial Dispute, but may not pronounce the Award pending disposal of the Writ Petition.

6. With these observations, the Writ Appeal is disposed of.

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J.CHELAMESWAR,J

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GODA RAGHURAM,J

01-09-2004

kvrm

Note: CC in three days.

To

1. The Municipal Corporation of Kurnool, rep. by its Commissioner, Kurnool.

2. Presiding Officer, Hon'ble Industrial Tribunal -cum- Labour Court, Anantapur.

3. 2 CC for GP for Labour, High Court Buildings, Hyd. (OUT)

4. 2 CD copies.